

Exhibit 6

CHARISE JONES
FISCHER V. GEICO

August 12, 2024

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<p style="text-align: right;">Page 1</p> <p>1</p> <p>2 IN THE UNITED STATES DISTRICT COURT</p> <p>3 FOR THE EASTERN DISTRICT OF NEW YORK</p> <p>4 - - - - -)</p> <p>5 KEITH FISCHER, MICHAEL O'SULLIVAN,)</p> <p>6 JOHN MOESER, LOUIS PIA, THOMAS) Case No.:</p> <p>7 BARDEN, CONSTANCE MANGAN, and) 2:23 Civ. 2848</p> <p>8 CHARISE JONES, individually and) (GRB) (ARL)</p> <p>9 on behalf of all others similarly)</p> <p>10 situated,)</p> <p>11 Plaintiffs,)</p> <p>12 - v -)</p> <p>13 GOVERNMENT EMPLOYEES INSURANCE)</p> <p>14 COMPANY d/b/a GEICO,)</p> <p>15 Defendant.)</p> <p>16 - - - - -)</p> <p>17</p> <p>18 VIDEOTAPED DEPOSITION OF CHARISE JONES</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Reported by:</p> <p>24 Kim M. Brantley</p> <p>25 Job No: J11541510</p>	<p style="text-align: right;">Page 3</p> <p>1 CHARISE JONES</p> <p>2 APPEARANCES CONTINUED:</p> <p>3 On behalf of the Defendant GEICO:</p> <p>4 DUANE MORRIS, LLP</p> <p>5 1540 Broadway - 14th Floor</p> <p>6 New York, New York 10036</p> <p>7 (312) 499-0198 (Ms. Alberty)</p> <p>8 Email: gsslotnick@duanemorris.com</p> <p>9 BY: GREGORY SLOTNICK, ESQUIRE</p> <p>10</p> <p>11 Also on behalf of the Defendant GEICO:</p> <p>12 DUANE MORRIS, LLP</p> <p>13 190 South LaSalle Street - Suite 3700</p> <p>14 Chicago, Illinois 60603</p> <p>15 (312) 499-0198</p> <p>16 Email: tealberty@duanemorris.com</p> <p>17 BY: TIFFANY ALBERTY, ESQUIRE</p> <p>18 (Appearing via Zoom)</p> <p>19</p> <p>20 ALSO PRESENT:</p> <p>21 SILVIO FACCHIN, Legal Video Specialist</p> <p>22 Esquire Deposition Solutions</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 2</p> <p>1 CHARISE JONES</p> <p>2 Monday, August 12, 2024</p> <p>3 Time: 9:53 a.m.</p> <p>4 Videotaped deposition of CHARISE JONES, held</p> <p>5 at Duane Morris, LLP, 1540 Broadway, 14th Floor,</p> <p>6 New York, New York, before Kim M. Brantley, Court</p> <p>7 Reporter and Notary Public of the State of New</p> <p>8 York.</p> <p>9</p> <p>10 APPEARANCES:</p> <p>11 On behalf of the Plaintiffs:</p> <p>12 OUTTEN & GOLDEN, LLP</p> <p>13 1225 New York Avenue NW - Suite 1200B</p> <p>14 Washington, DC, 20007</p> <p>15 (202) 847-4400</p> <p>16 Email: sjean@outtengolden.com</p> <p>17 BY: SABINE JEAN, ESQUIRE</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 CHARISE JONES</p> <p>2 P R O C E E D I N G S</p> <p>3 THE LEGAL VIDEO SPECIALIST: This is</p> <p>4 the media labeled number one in the video</p> <p>5 recorded deposition of Charise Jones in the</p> <p>6 matter of Keith Fischer, et al. versus</p> <p>7 Government Employee Insurance Company, doing</p> <p>8 business as GEICO.</p> <p>9 This deposition is being taken in New</p> <p>10 York City, New York on August 12, 2024. My</p> <p>11 name is Silvio Facchin, I am a certified</p> <p>12 legal video specialist; the court reporter is</p> <p>13 Kim Brantley, and we're both representing</p> <p>14 Esquire Deposition Solutions.</p> <p>15 We are now going on the record. The</p> <p>16 time is 9:53 a.m.</p> <p>17 Counsel will state their appearances</p> <p>18 for the record.</p> <p>19 MR. SLOTNICK: Good morning. Greg</p> <p>20 Slotnick of Dwayne Morris for defendant</p> <p>21 GEICO.</p> <p>22 MS. JEAN: Sabine Jean, Otten & Golden,</p> <p>23 for plaintiff -- for named plaintiff Charise</p> <p>24 Jones.</p> <p>25 THE LEGAL VIDEO SPECIALIST: Will the</p>

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2 Q. What types of claims were you working

3 on in that role?

4 A. Auto claims.

5 Q. And that is different than the medical

6 claims that you were working on previously,

7 correct?

8 A. Well, the auto encompassed any injuries

9 as well. So it was just anything having to do

10 with auto, whether they were injured or not.

11 Q. Okay. And what was your next position

12 with GEICO?

13 A. After that I worked in -- they did away

14 with that job. They actually closed it or removed

15 it. They didn't -- I don't know what they called

16 it, but they stopped that job, and then I went

17 inside and worked in -- I don't know the name of

18 the department. It was also in claims. It was --

19 I don't recall the name of the job it was, but I

20 went from outside to inside.

21 Q. In the claims department itself?

22 A. Yes.

23 Q. Do you know why they got rid of that

24 job?

25 A. They were cutting down on the cars and

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2 just trying to -- you know, I don't know their

3 actual reasoning for doing it, but they did.

4 Q. And so then you began working inside

5 you said?

6 A. Correct.

7 Q. And that is similar to the previous

8 roles where you were working out of the New York

9 office.

10 Is that right?

11 A. Correct.

12 Q. This was still in the claims

13 department?

14 A. Correct.

15 Q. How long did you work in that position

16 for?

17 A. That wasn't that long, and that was

18 another department that they closed down.

19 Q. The department inside the claims

20 department?

21 A. Yes. It was -- it was separate, but I

22 just don't know the name of it, and they closed

23 down that department all together.

24 Q. And what happened to your employment at

25 that point?

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2 A. Then I went to claims. It was called

3 hybrid where I handled PIP and liability claims.

4 Q. What does "PIP" mean?

5 A. Personal injury protection.

6 Q. What is personal injury protection?

7 A. That's the no-fault part of it,

8 medical, when they had an injury.

9 Q. Is that a New York-specific procedure?

10 A. Yes.

11 Q. And how long were you in that role for?

12 A. That I was in for maybe two years.

13 Q. Do you recall what years you worked in

14 that role?

15 A. I do not.

16 Q. Do you know if it was within the last

17 ten years that you were in that role?

18 A. No. No, it was ten years -- it was

19 more than ten years.

20 Q. More than ten years ago?

21 A. Yeah.

22 Q. Okay. And what was the next position

23 you worked in at GEICO?

24 A. Then I went back to SIU.

25 Q. Did you apply to go back to SIU?

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2 A. Yes.

3 Q. And what position did you work in when

4 you went back to SIU?

5 A. That was a desk job, and it was solely

6 medical again.

7 Q. Were you working out of the Woodbury

8 office?

9 A. Yes.

10 Q. When you say "solely medical," what do

11 you mean?

12 A. It didn't have to do with any damages

13 on cars. It had to do with just injuries.

14 Q. Who was your supervisor in that role?

15 A. April Neyland.

16 Q. Was this the first time you worked with

17 April Neyland?

18 A. No.

19 Q. When had you worked with her

20 previously?

21 A. When -- when I was in the PIP, personal

22 injury protection, and the liability, she was also

23 my supervisor there.

24 And I apologize, when I went to SIU,

25 the supervisor there was not April, because she

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<p style="text-align: right;">Page 49</p> <p>1 CHARISE JONES</p> <p>2 was not there yet. I forget who -- I don't know</p> <p>3 who -- who I had when I first went there.</p> <p>4 Q. When you first went to SIU?</p> <p>5 A. Back again, yes.</p> <p>6 Q. Got it, okay. Do you recall how long</p> <p>7 you worked in that position for?</p> <p>8 A. That position maybe four years.</p> <p>9 Q. Do you remember the years that you</p> <p>10 worked in that role?</p> <p>11 A. I do not.</p> <p>12 Q. And so what was the title that you were</p> <p>13 working as?</p> <p>14 A. I do not recall.</p> <p>15 Q. But this was the first time that you</p> <p>16 had returned to the SIU, right?</p> <p>17 A. Correct.</p> <p>18 Q. And did you apply to return to SIU?</p> <p>19 A. Yes. I remember the supervisor's name.</p> <p>20 Q. What was the supervisor's name?</p> <p>21 A. Sharyl Derenthal.</p> <p>22 Q. Could you spell that if you're able?</p> <p>23 A. S-h-e-r-y-l, and Derenthal, I would</p> <p>24 butcher it. I have no idea.</p> <p>25 Q. Okay. Fair enough.</p>	<p style="text-align: right;">Page 51</p> <p>1 CHARISE JONES</p> <p>2 GEICO?</p> <p>3 A. I then applied for the field SIU.</p> <p>4 Q. Do you recall when that was?</p> <p>5 A. No, I do not.</p> <p>6 Q. Do you remember what the actual job</p> <p>7 title of the position was?</p> <p>8 A. It was called field SIU investigator.</p> <p>9 Q. And were you accepted to work in that</p> <p>10 role?</p> <p>11 A. Yes.</p> <p>12 Q. What did that role entail, generally?</p> <p>13 A. That was again going out and either</p> <p>14 taking photos of vehicles, or trying to get</p> <p>15 statements from people.</p> <p>16 That was really it.</p> <p>17 Q. And what was your geographic region</p> <p>18 with respect to that role?</p> <p>19 A. Again it was just all New York.</p> <p>20 Q. Did you go into other states at all?</p> <p>21 A. Rarely.</p> <p>22 Q. Was that part of a region within GEICO?</p> <p>23 A. Where I worked it was region two.</p> <p>24 Q. Do you know what region two</p> <p>25 encompassed?</p>
<p style="text-align: right;">Page 50</p> <p>1 CHARISE JONES</p> <p>2 And was she the supervisor or the</p> <p>3 manager?</p> <p>4 A. She was the supervisor.</p> <p>5 Q. Do you recall who the manager was?</p> <p>6 A. She did become the manager, but at that</p> <p>7 time I don't know who the manager was.</p> <p>8 Q. And sorry, when I say supervisor and</p> <p>9 manager, do you understand what I mean --</p> <p>10 A. Yes.</p> <p>11 Q. -- in those different terms?</p> <p>12 A. Yes.</p> <p>13 Q. And what is the different between a</p> <p>14 supervisor and a manager at GEICO?</p> <p>15 A. I directly would report to my</p> <p>16 supervisor, and then the supervisor would report</p> <p>17 to the manager.</p> <p>18 Q. Got it. Fair enough.</p> <p>19 Has that always been the reporting</p> <p>20 structure at GEICO as far as you know?</p> <p>21 A. Yes.</p> <p>22 Q. Was that the same in SIU and in the</p> <p>23 claims department?</p> <p>24 A. Yes.</p> <p>25 Q. And what was your next position at</p>	<p style="text-align: right;">Page 52</p> <p>1 CHARISE JONES</p> <p>2 A. Region two was the New York office.</p> <p>3 Q. And did region two only investigate New</p> <p>4 York-specific claims?</p> <p>5 A. No.</p> <p>6 Q. What other claims did region two</p> <p>7 investigate?</p> <p>8 A. We did Connecticut, Pennsylvania</p> <p>9 sometimes, depending on where it fell, like where</p> <p>10 the geographical location was in Pennsylvania.</p> <p>11 Q. And in terms of where a case would</p> <p>12 fall, as you say, how is that determined? Is that</p> <p>13 just the location of the incident?</p> <p>14 A. Correct, where it -- where it happened,</p> <p>15 we'd put in the ZIP code, and we would map it out.</p> <p>16 Q. Okay. And did GEICO have different</p> <p>17 geographic regions --</p> <p>18 A. Yes.</p> <p>19 Q. -- in the SIU?</p> <p>20 A. Yes.</p> <p>21 Q. Do you recall how many there were?</p> <p>22 A. I do not.</p> <p>23 Q. Did you ever work in any region other</p> <p>24 than region two?</p> <p>25 A. No.</p>

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<p style="text-align: right;">Page 93</p> <p>1 CHARISE JONES</p> <p>2 was just a brief time.</p> <p>3 Q. And then what happened to your job</p> <p>4 position at that time?</p> <p>5 A. They asked me if I preferred auditor or</p> <p>6 trainer, and I basically said whatever would keep</p> <p>7 my job, and they just said that everyone was going</p> <p>8 to be auditors, that there -- there was no need</p> <p>9 for trainers any more. They were doing like --</p> <p>10 almost like self-training like. They were just</p> <p>11 going to implement like, you know, a way to</p> <p>12 self-teach yourself.</p> <p>13 Q. And so when you say "auditor," is that</p> <p>14 your current job role?</p> <p>15 A. Correct.</p> <p>16 Q. And when did you start working in that</p> <p>17 role?</p> <p>18 A. We were told we were auditors I think</p> <p>19 like the end of 2023, but we started, you know,</p> <p>20 actually auditing in this -- beginning of this</p> <p>21 year.</p> <p>22 Q. And when you say "auditing," what do</p> <p>23 you mean?</p> <p>24 A. Now I -- all the investigators that do</p> <p>25 a case, when they go ahead and conduct their cases</p>	<p style="text-align: right;">Page 95</p> <p>1 CHARISE JONES</p> <p>2 A. If they -- if -- if the audit came back</p> <p>3 negatively, and they -- because it's a scoring --</p> <p>4 if it's scoring, that information is used for</p> <p>5 performance, but not my me. It's whoever the</p> <p>6 supervisor is.</p> <p>7 Q. And when you say "scoring," could you</p> <p>8 describe what you mean by that?</p> <p>9 A. You start off at a hundred percent, and</p> <p>10 then there's categories for, you know, everything</p> <p>11 that we look into as far as what they did, and</p> <p>12 then each category has a scoring on it.</p> <p>13 Depending on what they, you know, miss,</p> <p>14 or they missed, you know, they could -- it'd go</p> <p>15 from a hundred down to, you know, whatever the</p> <p>16 point system was.</p> <p>17 Q. Do you know what the point system is?</p> <p>18 A. Yes. It's like certain categories are,</p> <p>19 you know, fifteen percent, then you have</p> <p>20 categories that are ten percent, you know, five</p> <p>21 percent -- not percent, points, I'm sorry, fifteen</p> <p>22 points, ten points -- ten points, three points,</p> <p>23 one point, depending on where it fell.</p> <p>24 Q. Can you give me some examples of these</p> <p>25 categories?</p>
<p style="text-align: right;">Page 94</p> <p>1 CHARISE JONES</p> <p>2 and they close it, I go in and I look at their</p> <p>3 case and make sure that they completed everything</p> <p>4 the way they should have.</p> <p>5 Q. So the auditor role is different than</p> <p>6 investigator, correct?</p> <p>7 A. Correct.</p> <p>8 Q. And when you were -- to back -- strike</p> <p>9 that.</p> <p>10 To go back to when you were a trainer,</p> <p>11 did you have any supervisory responsibilities in</p> <p>12 that role?</p> <p>13 A. No.</p> <p>14 Q. When you worked as a trainer, did you</p> <p>15 participate in providing information for</p> <p>16 performance evaluations to any other employees?</p> <p>17 A. To any other employees? No.</p> <p>18 Q. And in your role as an auditor, do you</p> <p>19 have any supervisory responsibilities?</p> <p>20 A. No.</p> <p>21 Q. Have you ever in this role?</p> <p>22 A. No.</p> <p>23 Q. Have you provided any information for</p> <p>24 performance evaluations for other SIU employees in</p> <p>25 your role as an auditor?</p>	<p style="text-align: right;">Page 96</p> <p>1 CHARISE JONES</p> <p>2 A. Investigative quality is fifteen</p> <p>3 points...</p> <p>4 If they did not upload the evidence</p> <p>5 properly, whether we couldn't open it or we</p> <p>6 couldn't view it, that would be three points...</p> <p>7 If they took a recorded interview, and</p> <p>8 they didn't use the proper opening and closing,</p> <p>9 that's seven points...</p> <p>10 You know, they have to upload their</p> <p>11 report to the case management. They have to</p> <p>12 upload it to the claims department, so they could</p> <p>13 view it. That's one point, if they don't do it.</p> <p>14 Q. In your positions at GEICO, were you</p> <p>15 ever disciplined in any capacity?</p> <p>16 A. I'm sure I was. I just don't recall,</p> <p>17 like what specific -- I mean, nothing to the point</p> <p>18 where it was something I would remember.</p> <p>19 Q. Do you know if there was any written</p> <p>20 disciplinary record at any point for your</p> <p>21 employment?</p> <p>22 A. Currently I'm on a coaching plan.</p> <p>23 Q. What does that entail?</p> <p>24 A. They -- my percentage is ninety-six</p> <p>25 percent -- ninety-six point something, and I'm off</p>

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2 by a point.

3 So because I'm not at that ninety-six

4 point seven percent, they put me on a plan that I

5 have to work to get to that point.

6 Q. Can you just give me a general

7 description of what you mean by "ninety-six

8 percent"?

9 A. Currently there's eight auditors.

10 Prior to that there was six auditors. So within

11 the six auditors, it ranged from ninety-eight to

12 ninety-six percent. So there is -- being that

13 there was only a couple of us, the margins were

14 very tight, and they said that ninety-seven --

15 96.7 percent was what the average should be, and I

16 was at 96.4.

17 So because I wasn't at the right

18 percentage, they put me on this coaching plan.

19 Q. Who is your current supervisor?

20 A. Douglas Koontz, K-o-o-n-t-z.

21 Q. And how long has he been your

22 supervisor for?

23 A. About five -- four or five months.

24 Q. Who was your supervisor before Douglas?

25 A. Sarah Greenman, G-r-e-e-n-m-a-n.

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2 Q. And how long was Sarah your supervisor

3 for?

4 A. About three or four months; not that

5 long.

6 Q. Was she -- was -- strike that.

7 Was Sarah your first supervisor as an

8 auditor?

9 A. When I first got the auditor's

10 position, there was no supervisor. It was just

11 reporting directly to the manager.

12 Q. Who was the manager?

13 A. Gerry Marlon, M-a-r-l-o-n.

14 Q. And so after the period of time when

15 there was no supervisor in the auditor role for

16 you, was Sarah your first supervisor in that role?

17 A. Yes.

18 Q. So you reported to Sarah and Douglas as

19 an auditor?

20 A. Correct.

21 Q. Okay. And just to confirm, is Douglas

22 your current supervisor?

23 A. Yes.

24 Q. And then as a trainer, who were your

25 supervisors?

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2 A. Just April Neyland, and then -- Sarah

3 Greenman was the one who approached me and said

4 which would I prefer, auditor or trainer.

5 Q. Did you prefer your job as a trainer to

6 your job as an investigator?

7 A. Yes.

8 Q. Why is that?

9 A. Wait, you said did I prefer trainer?

10 Yes. The answer is yes, I wanted to be a trainer.

11 Q. Yes.

12 A. Because the -- it wasn't as stressful

13 as far as meeting all the expectations of an

14 investigator.

15 Q. When you say "expectations of an

16 investigator," what do you mean?

17 A. All the things that comes along with

18 your investigation: Time frames, how many cases,

19 your performance.

20 It was just -- you know, it was just a

21 lot to make sure you maintained, where as a

22 trainer I kind of could, you know -- it was easier

23 for me to make my own schedule as a trainer on who

24 I was going to, you know, talk to, send out

25 invites for, you know, specific training.

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2 It was just a lot -- a lot less stress.

3 Q. Did you speak with any other trainers

4 before you took the position?

5 A. No.

6 Q. During your employment with GEICO from

7 2017 to present, did you take any FMLA or

8 disability leave?

9 A. Yes.

10 Q. And when was that?

11 A. I don't know the time, but it was two

12 specific times.

13 Well, I had eye surgery, and I was out

14 for I think a week or two, and I had breast

15 reduction that I was out for a short period of

16 time.

17 Q. And when you say short period of time,

18 is that a number of days? weeks?

19 A. Yeah -- it wasn't -- no more than a

20 week.

21 Q. Do you recall when those leaves took

22 place?

23 A. One I know is around 2018, and the

24 other one I don't recall.

25 Q. Which one was in 2018?

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<p style="text-align: right;">Page 121</p> <p>1 CHARISE JONES</p> <p>2 work done in the amount of time they're giving us.</p> <p>3 Q. Which other coworkers are you referring</p> <p>4 to?</p> <p>5 A. Other ones when I would be at</p> <p>6 examinations under oath at other places.</p> <p>7 So depending on who was there, it could</p> <p>8 have been, you know, Keith Fischer, Scott Brady.</p> <p>9 Other people I talked to knowing that they were on</p> <p>10 when I was on late would be Jeff Lewonka.</p> <p>11 That's I can recall off the top of my</p> <p>12 head.</p> <p>13 Q. Who is Jeff Lewonka?</p> <p>14 A. He was another coworker.</p> <p>15 Q. And what position did he work in?</p> <p>16 A. Same thing as the investigator.</p> <p>17 Q. Do you recall when you had those</p> <p>18 discussions with Keith Fischer, Scott Brady, and</p> <p>19 Jeff Lewonka?</p> <p>20 A. Just over the course of working as an</p> <p>21 investigator.</p> <p>22 Q. How often did you have those</p> <p>23 conversations?</p> <p>24 A. You know, whenever I would meet up with</p> <p>25 them, see them at other places, and if I saw them</p>	<p style="text-align: right;">Page 123</p> <p>1 CHARISE JONES</p> <p>2 able to finish up what I had, or the day -- you</p> <p>3 know, I was just -- so much windshield time, and I</p> <p>4 just couldn't finish my work.</p> <p>5 Q. And when you say you couldn't finish</p> <p>6 your work, what do you mean by that?</p> <p>7 A. Again we had like certain time frames</p> <p>8 to finish it, certain time frames that things had</p> <p>9 to be submitted by, and knowing that my shift was</p> <p>10 over based on the number of hours I've already</p> <p>11 worked, I knew that this report had to be in by</p> <p>12 the end of that day, and I would just have to do</p> <p>13 it, otherwise it would, you know, be held against</p> <p>14 me for not doing it.</p> <p>15 Q. And your testimony is that that</p> <p>16 happened on four to five occasions?</p> <p>17 A. Talking to her about the overtime?</p> <p>18 Q. Correct.</p> <p>19 A. Yes.</p> <p>20 Q. And from April 2017 to the present,</p> <p>21 have you been paid hourly?</p> <p>22 A. I believe it changed at some point. I</p> <p>23 just don't know when.</p> <p>24 Q. Do you recall how it changed?</p> <p>25 A. I don't know how it changed.</p>
<p style="text-align: right;">Page 122</p> <p>1 CHARISE JONES</p> <p>2 online after, you know, like late hours, while I</p> <p>3 was working.</p> <p>4 Q. And you said that you made a complaint</p> <p>5 to April Neyland. Is that right?</p> <p>6 A. Correct.</p> <p>7 Q. How many times did you complain to her</p> <p>8 about off-the-clock work?</p> <p>9 A. A handful of times.</p> <p>10 Q. Could you approximate what you mean by</p> <p>11 "a handful"?</p> <p>12 A. Maybe four to five times.</p> <p>13 Q. And do you recall when you made those</p> <p>14 complaints to her?</p> <p>15 A. It was over the course of, you know,</p> <p>16 her -- me being reporting to her. So it was over</p> <p>17 the course of a year or so, two years, you know,</p> <p>18 depending on -- I don't know the time frame, but</p> <p>19 it was, you know, whenever it came up, she was the</p> <p>20 one I would discuss it with.</p> <p>21 Q. When you say whenever "it" came up,</p> <p>22 what are you referring to?</p> <p>23 A. Whenever I had the -- wherever --</p> <p>24 whenever I had to do the overtime, or when it was</p> <p>25 coming towards the end of the week, and I wasn't</p>	<p style="text-align: right;">Page 124</p> <p>1 CHARISE JONES</p> <p>2 Q. Do you recall when it changed</p> <p>3 approximately?</p> <p>4 A. I do not.</p> <p>5 Q. But you do understand the difference</p> <p>6 between hourly and salary?</p> <p>7 A. Yes.</p> <p>8 Q. What's your understanding of that</p> <p>9 difference?</p> <p>10 A. You're -- you're paid hourly, meaning</p> <p>11 each hour you work you're paid, or you're just</p> <p>12 paid a flat fee of -- you know your grade is a</p> <p>13 sixty-five, you make X amount, and that's what</p> <p>14 your pay is, no matter how much you work.</p> <p>15 Q. Do you recall your rates of pay?</p> <p>16 A. Oh, no. I do not.</p> <p>17 Q. Did your rates of pay generally</p> <p>18 increase throughout your employment?</p> <p>19 A. Yes.</p> <p>20 Q. Did you ever make a -- a bonus or</p> <p>21 commission?</p> <p>22 A. I don't know. I mean, I had</p> <p>23 profit-sharing, so I don't know if that's called a</p> <p>24 bonus or a commission. It was my own money.</p> <p>25 Q. Okay, and what do you mean by profit</p>

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2 Q. And first I should ask, did you always

3 get paid for all of the time that you entered into

4 GEICO's timekeeping system?

5 MS. JEAN: Objection.

6 THE WITNESS: Whatever I entered I got

7 paid for, yes.

8 BY MR. SLOTNICK:

9 Q. So paragraph seven, it -- it reads, "My

10 supervisor told me that if I was going to work

11 over 38.75 hours per week I needed to speak with

12 her and state why I needed to work additional

13 hours, because my supervisor was required to

14 pre-approve those hours.

15 "I recall asking my supervisor for one

16 or two extra hours for one week, but my supervisor

17 would not approve the overtime pay and said

18 instead I could work one to two fewer hours the

19 following week. However, because of my workload I

20 was not able to take a few hours off the next

21 week.

22 "Accordingly I only entered 7.75 hours

23 per day, five days a week, regardless of how many

24 hours I actually worked."

25 Did I read that accurately?

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1 CHARISE JONES

2 A. Yes.

3 Q. And was 38.75 the number of weekly

4 hours you were expected to work as an investigator

5 at GEICO?

6 A. Yes.

7 Q. Was that always the case while you were

8 an investigator?

9 A. Yes.

10 Q. Which supervisor told you that?

11 A. April Neyland.

12 Q. And when did that conversation take

13 place?

14 A. I don't know specifically. Again it

15 was a couple of times that I did ask her.

16 Q. So you asked her more than just this

17 one occasion?

18 A. Yes.

19 Q. And can you give me the details of each

20 of those occasions?

21 A. Again, based on us having to do things

22 at a specific time frame, I said that I needed

23 more time, and I needed to work more on a specific

24 day, or more that I could not take time off on the

25 next day, because I was still getting work the

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2 next day. And it was said that, you know, there's

3 no approved overtime right now. But, you know,

4 there were times where overtime was approved, and

5 whenever I asked, it was never being approved.

6 Q. And can you detail those occasions when

7 you did ask for approval?

8 A. I don't know what you mean by "detail."

9 Q. Can you give me the dates when you

10 asked for approval?

11 A. I don't know the dates.

12 Q. Approximately?

13 A. I don't know. I truly don't know.

14 Q. Were those those four to five occasions

15 that you mentioned earlier?

16 A. It -- it -- it could have been those

17 times, but it was more on the times that I was

18 working that I needed the time off -- the time to

19 work, meaning that, you know, I was running into a

20 week where I saw that it was going to be more than

21 my 38.75, or it was going to be within the

22 two-week period that we get paid, and I couldn't

23 take off the time, and I was unfamiliar with when

24 the pay period ended and started, and there were

25 times where it was coming towards the end of the

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2 week, and she would tell me, "Listen, this is the

3 end of the pay period. If you don't take it off,

4 you can't do it next week, because now it's the

5 next pay period."

6 And I was like, "Oh, I didn't even

7 realize that."

8 Q. So to turn back to your paragraph

9 seven, do you recall where that conversation took

10 place?

11 A. It would either be via Zoom or phone.

12 I don't recall which one it was.

13 Q. And again, do you recall when that

14 conversation took place?

15 A. I do not.

16 Q. Approximate, in the last few years?

17 A. It was definitely within the last --

18 like right before I became trainer, like within

19 that time, right around that time before I -- you

20 know, because I was working first of all two jobs,

21 and it was like right around that time.

22 Q. Was anyone else on that Zoom or phone

23 call with you?

24 A. No.

25 Q. It was just you and April?

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<p style="text-align: right;">Page 281</p> <p>1 CHARISE JONES</p> <p>2 A. I would ask if there were any cases</p> <p>3 that needed -- that weren't assigned yet, if they</p> <p>4 needed any -- anything that I could just go out</p> <p>5 on, like assist cases, where I could go out and</p> <p>6 do -- it's called an EDR, which is event data</p> <p>7 recorder, where I'd go in and plug in and get</p> <p>8 information from a car. Those were one set only</p> <p>9 certain investigators were able to do, and because</p> <p>10 I had that box to do that (indicating), I would</p> <p>11 get those cases.</p> <p>12 Q. When you say "box," what do you mean?</p> <p>13 A. It's an event data recorder box.</p> <p>14 Q. Earlier you testified about being an</p> <p>15 SIU trainer. Do you recall that?</p> <p>16 A. Yes.</p> <p>17 Q. And you stated that you started the</p> <p>18 position about in or around 2023. I believe you</p> <p>19 said, "I don't know. Maybe 2023."</p> <p>20 Do you recall that?</p> <p>21 MR. SLOTNICK: Objection.</p> <p>22 THE WITNESS: Yes.</p> <p>23 BY MS. JEAN:</p> <p>24 Q. Looking at the documents in front of</p> <p>25 you as well as the documents that you had</p>	<p style="text-align: right;">Page 283</p> <p>1 CHARISE JONES</p> <p>2 Q. When did you become a trainer in SIU?</p> <p>3 A. March of 2022.</p> <p>4 Q. Okay. I'm done with that document.</p> <p>5 Thank you.</p> <p>6 You gave testimony regarding the change</p> <p>7 in the number of days to close a case.</p> <p>8 Specifically you stated that at some point GEICO</p> <p>9 went from thirty days to close a case to</p> <p>10 approximately ten days to close a case.</p> <p>11 Do you recall your testimony?</p> <p>12 MR. SLOTNICK: Objection.</p> <p>13 THE WITNESS: Yes.</p> <p>14 BY MS. JEAN:</p> <p>15 Q. Do you recall, when did that change</p> <p>16 take place?</p> <p>17 A. That was recent. I don't know the</p> <p>18 exact time. And it wasn't closing a case. It was</p> <p>19 being in the case. So within thirty days you had</p> <p>20 to either close it or be in it.</p> <p>21 Q. What does "being in it" mean?</p> <p>22 A. Meaning you have to touch it, either</p> <p>23 review it, make a note, entry, something.</p> <p>24 Q. And when you say "recently," does that</p> <p>25 mean in the past two years or longer?</p>
<p style="text-align: right;">Page 282</p> <p>1 CHARISE JONES</p> <p>2 introduced on the record, particularly exhibits --</p> <p>3 Exhibit 5, that includes your declaration?</p> <p>4 A. Yes.</p> <p>5 Q. If you turn to page four, paragraph</p> <p>6 ten.</p> <p>7 A. Yes.</p> <p>8 Q. It says --</p> <p>9 A. Okay.</p> <p>10 Q. It says, "In approximately February or</p> <p>11 March 2022 prior to my promotion to being a</p> <p>12 trainer."</p> <p>13 Do you see that?</p> <p>14 A. Yes.</p> <p>15 Q. Actually, sorry. Back up.</p> <p>16 If you go back to page one of that</p> <p>17 document, in paragraph one, on the middle of that</p> <p>18 paragraph, it says, "Before becoming a trainer as</p> <p>19 a special investigator from 2016 until my</p> <p>20 promotion in approximately March 2022" -- do you</p> <p>21 see that sentence?</p> <p>22 A. Yes.</p> <p>23 Q. Does that refresh your recollection of</p> <p>24 when you became a trainer in SIU?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 284</p> <p>1 CHARISE JONES</p> <p>2 A. No, definitely within the past year.</p> <p>3 Q. And this was in relation to a case</p> <p>4 going red. Do you recall that testimony?</p> <p>5 A. Yes.</p> <p>6 Q. You stated that it would be a few days</p> <p>7 before the thirty days, when it was thirty days, a</p> <p>8 case would turn orange before it would go red.</p> <p>9 Do you recall that?</p> <p>10 A. I do.</p> <p>11 Q. Going to the change, the recent change</p> <p>12 within the past year of a case having to be in a</p> <p>13 case in ten days, do you know when a case would</p> <p>14 turn orange?</p> <p>15 A. It was the same. It would be like</p> <p>16 two -- two or three days prior to the ten days, it</p> <p>17 would turn orange, and then on the tenth day it</p> <p>18 would turn red.</p> <p>19 Q. Do you know if there were any</p> <p>20 consequences for a case turning red?</p> <p>21 A. Only the fact that currently you have</p> <p>22 to put in a ten-day report on the file.</p> <p>23 Q. What does that mean, "a ten-day</p> <p>24 report"?</p> <p>25 A. Meaning you have to summarize what has</p>

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Page 297					Page 299				
1	CHARISE JONES				1	CHARISE JONES			
2	I N D E X				2	ACKNOWLEDGEMENT OF WITNESS			
3	DEPOSITION OF CHARISE JONES				3	I, CHARISE JONES, do hereby acknowledge			
4	EXAMINATION BY:		PAGE:		4	that I have read and examined the foregoing			
5	Mr. Slotnick		5, 292		5	testimony, and the same is a true, correct and			
6	Ms. Jean		275		6	complete transcription of the testimony given by			
7					7	me, and any corrections appear on the attached			
8					8	Errata sheet signed by me.			
9	INDEX OF DEPOSITION EXHIBITS:				9				
10	JONES EXHIBITS:		PAGE:		10	(DATE)		(SIGNATURE)	
11	Jones Exhibit 1. Notice of Deposition		11		11				
12	Jones Exhibit 2. Employee handbook		101		12				
13	Jones Exhibit 3. Training history log		109		13				
14	Jones Exhibit 4. Employment Contents				14				
15	From the GEICO Human Resources Associate				15				
16	Handbook		115		16				
17	Jones Exhibit 5. Charise Jones Declaration		134		17				
18					18				
19	Jones Exhibit 6. Answers to Interrogatories		176		19				
20					20				
21	Jones Exhibit 7. Second Amended Collective				21				
22					22				
23	and Class Action Complaint		224		23				
24					24				
25	(Exhibits attached to original transcript.				25				

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1	CHARISE JONES				1	CHARISE JONES			
2	ERRATA SHEET FOR THE TRANSCRIPT OF:				2	C E R T I F I C A T E			
3	Case Name: Keith Fischer, et al. vs. GEICO				3	STATE OF NEW YORK)			
4	Dep. Date: August 12, 2024				4	: Ss.			
5	Deponent: Charise Jones				5	COUNTY OF NEW YORK)			
6					6	I, Kim M. Brantley, Shorthand			
7					7	Reporter, and Notary Public within and for the			
8					8	State of New York, do hereby certify:			
9					9	That CHARISE JONES, the witness whose			
10					10	deposition is hereinbefore set forth, was duly			
11					11	sworn by me and that such deposition is a true			
12					12	record of the testimony given by the witness.			
13					13	I further certify that I am not related			
14					14	Toni of the parties to this action by blood or			
15					15	marriage, and that I am in no way interested in			
16					16	the outcome of this matter.			
17					17	IN WITNESS WHEREOF, I have hereunto set			
18					18	my hand this 13th day of August, 2024.			
19					19	<i>Kim M. Brantley</i>			
20					20	Kim M. Brantley			
21					21				
22					22				
23					23				
24					24	My Commission expires May 31, 2026.			
25					25				

1	CHARISE JONES			
2	ERRATA SHEET FOR THE TRANSCRIPT OF:			
3	Case Name: Keith Fischer, et al. vs. GEICO			
4	Dep. Date: August 12, 2024			
5	Deponent: Charise Jones			
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17				
18	Signature of Deponent			
19	SUBSCRIBED AND SWORN BEFORE ME			
20	THIS ____ DAY OF _____, 2024			
21				
22				
23	(Notary Public)			
24				
25	MY COMMISSION EXPIRES: _____			